

I.R.C.P. 3.b. Designation of Party.

Idaho Rules of Civil Procedure Rule 3(b). Designation of Party.

Any civil action for or against a person in an individual capacity shall designate such person by name and any action against a person in a representative capacity shall indicate the nature of the representative capacity for which the person is made a party to the action. Provided, all civil actions by or against a governmental unit or agency, or corporation, shall designate such party in its governmental or corporate name only, and individuals constituting the officers of the governing boards of governmental units, boards or agencies or of corporations, shall not be designated as parties in any capacity unless the action is brought against them individually or for relief under Rules 65 or 74. An action against a partnership or unincorporated association shall designate the name of the partnership or association as defendant, in which case any judgment obtained shall be enforceable against the partnership or association property; but no such judgment shall be entered personally against an individual partner or member unless named as an individual defendant in an individual capacity and served with process.

[Amended July 2, effective October 1, 1976; amended April 22, 2004, effective July 1, 2004; amended March 24, 2005, effective July 1, 2005.)

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